IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

LA.App.No. 520 of 2003(D)

LAR.326/1998 of ADDL.SUB COURT, NORTH PARAVUR
.....

APPELLANT/ADDL.2ND RESPNDENT:

KOCHI INTERNATIONAL AIRPORT SOCIETY,
REP. BY ITS MANAGING DIRECTOR, ANGAMALY.

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.

RESPONDENTS/CLAIMANT A TO C/1ST RESPONDENT:
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1. **VARGHESE, S/O. THARIYATH THEKKANATH,**
   AVANAMCODE.

2. **VARGHESE, S/O. YACOB KOORAN,**
   AVANAMCODE.

3. **BAIJU, S/O. PATHROSE PYNADATH,**
   AVANAMCODE.

4. **STATE OF KERALA,**
   REP. BY DISTRICT COLLECTOR, ERNAKULAM,
   ERNAKULAM DISTRICT.

R4 BY GOVERNMENT PLEADER SRI. K.V. MANOJKUMAR.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 20/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

LA.App.No. 520 of 2003(D)

Order on C.M.P. No. 1954/2003 in L.A.A. No. 520/2003

Dismissed.

	Sd/-	Sd/-
	KURIAN JOSEPH	**HARUN-UL-RASHID**
20.09.2007	**JUDGE**	**JUDGE**

// True Copy //

P.A. to Judge.

smp

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO. 520 OF 2003

Dated this the 20th day of September, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against the judgment and decree in L.A.R. No. 326/1998 on the file of Additional Sub Court, North Paravur. The appeal is filed at the instance of the requisitioning authority, namely Kochi International Airport Society.

2. The reference court has granted 96% enhancement. In L.A.A. No. 412/2001 this Court has held that the enhancement can only be to the extent of 45% over the land value fixed by the Land Acquisition Officer.

Therefore, this appeal is allowed. The claimants will be entitled to enhancement at the rate of 45% over the land value fixed by the Land Acquisition Officer. The claimants will also be entitled to all eligible statutory benefits including interest on solatium.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE

smp

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A. NO. 520 OF 2003

J U D G M E N T

20.09.2007